

Listing of Claims:

1. (Currently Amended) A process for the preparation of form 1 of olanzapine, comprising the step of crystallizing wherein olanzapine is crystallized from in a solvent mixture which comprises 2-propanol.
2. (Original) Process according to claim 1, wherein the solvent mixture also comprises at least one further solvent selected from group consisting of tetrahydrofuran, methylene chloride, acetone, toluene, N, N-dimethylformamide, dimethylsulfoxide, and chloroform.
3. (Original) Process according to claim 2, wherein the solvent mixture comprises 2-propanol and at least one further solvent in a ratio of 1:0.1 to 5 parts by volume.
4. (Currently Amended) Process according to ~~any one of claims 1 to 3~~ claim 1, wherein the olanzapine is used in form of a solvate of olanzapine.
5. (Original) Process according to claim 4, wherein the solvate is at least one of the group consisting of a methylene chloride solvate, a 2-propanol solvate, a acetonitrile/methylene chloride/water mixed solvate and acetonitrile/water mixed solvate of olanzapine.
6. (Original) Acetonitrile/methylene chloride/water mixed solvate of olanzapine characterized by an x-ray powder diffraction pattern (2 theta) as follows:
8.76, 19.39, 20.12.
7. (Original) Acetonitrile/methylene chloride/water mixed solvate of olanzapine according to claim 6, characterized by an x-ray powder diffraction pattern (2 theta) as follows:
8.76, 18.29, 19.39, 19.66, 20.12, 23.13, 23.62, 25.08.
8. (Original) Acetonitrile/water mixed solvate of olanzapine characterized by an x-ray powder diffraction pattern (2 theta) as follows:
8.76, 9.10, 14.05, 19.37, 20.10, 24.55, 25.92, 27.96.

9. (Original) Acetonitrile/water mixed solvate of olanzapine according to claim 8, characterized by an x-ray powder diffraction pattern (2 theta) as follows:

8.76, 9.10, 14.05, 14.44, 18.30, 18.67, 18.84, 19.37, 19.68, 20.10, 20.54, 21.65, 22.79, 23.12, 23.62, 24.55, 25.06, 25.92, 27.96, 28.44.

10. (Original) 2-propanol solvate of olanzapine characterized by an x-ray powder diffraction pattern as follows:

8.74, 14.05, 19.38, 22.65, 23.03, 24.46, 25.92, 28.36.

11. (Original) 2-propanol solvate of olanzapine according to claim 10, characterized by an x-ray powder diffraction pattern as follows:

8.74, 14.05, 14.41, 17.77, 18.22, 18.76, 19.38, 19.81, 19.95, 20.54, 20.96, 21.64, 22.26, 22.65, 23.03, 23.58, 23.90, 24.46, 25.03, 25.39, 25.92, 26.63, 27.47, 27.95, 28.36.

12. (Original) Methylene chloride solvate IA of olanzapine characterized by an x-ray powder diffraction pattern as follows:

10.80, 14.25, 19.22, 22.78, 24.53.

13. (Original) Methylene chloride solvate IA of olanzapine according to claim 12, characterized by an x-ray powder diffraction pattern as follows:

8.85, 10.80, 12.89, 14.09, 14.25, 18.37, 18.81, 19.22, 19.41, 19.57, 20.07, 20.80, 21.00, 21.71, 22.06, 22.25, 22.78, 23.14, 23.62, 24.03, 24.53, 25.04, 25.43, 26.67, 27.51, 28.00, 28.45, 28.70.

14. (Original) Methylene chloride solvate IB of olanzapine characterized by an x-ray powder diffraction pattern as follows:

9.30, 10.80, 14.25, 14.98, 15.94, 19.23, 20.04.

15. (Original) Methylene chloride solvate IB of olanzapine according to claim 14, characterized by an x-ray powder diffraction pattern as follows:

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8.43, 8.86, 9.30, 10.80, 14.25, 14.98, 15.94, 16.88, 17.79, 18.40, 18.57, 18.83, 19.23, 19.57, 20.04, 20.79, 21.01, 21.68, 22.06, 22.23, 23.57, 24.02, 24.89, 25.12, 25.46, 26.38, 26.56, 27.50, 28.06, 28.71, 29.02.

16. (Currently Amended) Process for preparing anhydrous forms of olanzapine by using drying at least one solvate according to ~~any one of claims 6 to 15~~ claim 6.

17. (Currently Amended) Process ~~according to claim 16~~, wherein the anhydrous form I of olanzapine is prepared ~~and wherein~~ by drying at least one solvate according to ~~any one of claims claim 12 and 15~~ claim 12 and 14 ~~is dried~~.

18. (Original) Form A of olanzapine characterized by an x-ray powder diffraction pattern as follows:

11.52, 12.00, 13.35, 13.56, 14.21, 15.47, 16.69, 19.16, 20.25 20.69, 22.12, 24.33, 26.88, 27.13.

19. (Original) Form A of olanzapine according to claim 18, characterized by an x-ray powder diffraction pattern as follows:

11.52, 11.83, 12.00, 13.35, 13.56, 14.21, 15.47, 16.69, 17.83, 19.16, 20.25, 20.69, 21.65, 22.12, 23.21, 24.33, 26.88, 27.13, 28.57.

20. (Currently Amended) Form A of olanzapine according to claim 18 ~~or 19~~, which is in essential pure form.

21. (Currently Amended) Form A of olanzapine according to claim 18, ~~19 or 20~~, which is anhydrous.

22. (Currently Amended) Process for preparing form A of olanzapine as defined in claim 18 ~~to 21~~, comprising the steps of dissolving any form of olanzapine in a mixture of acetonitrile with a solvent in which olanzapine is soluble or in a solvent in which olanzapine is

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soluble, heating the mixture to obtain a clear solution, optionally filtering the solution, partly evaporating the solvent and isolating the product.

23. (Currently Amended) Pharmaceutical composition which comprises form A of olanzapine according to claim 18 ~~any one of claims 18 to 21~~.

24. (New) Process for preparing anhydrous forms of olanzapine by drying at least one solvate according to claim 8.

25. (New) Process for preparing anhydrous forms of olanzapine by drying at least one solvate according to claim 10.

26. (New) Process for preparing anhydrous forms of olanzapine by drying at least one solvate according to claim 12.

27. (New) Process for preparing anhydrous forms of olanzapine by drying at least one solvate according to claim 14.

28. (New) Process wherein the anhydrous form I of olanzapine is prepared by drying at least one solvate according to claim 14.